

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13916 of Faith United Church of Christ, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.411 to use the first floor of the subject premises for a "Senior Citizen Program" consisting of a maximum of 100 persons and five staff members in an R-2 District at premises 4900 10th Street, N.E., (Square 3786, Lot 809).

HEARING DATE: January 26, 1983

DECISION DATE: January 26, 1983 (Bench Decision)

FINDINGS OF FACT:

1. The Board for good cause shown, granted the applicant's request for an expedited hearing on the application.

2. The subject property is located at the northwest quadrant of the intersection of South Dakota Avenue and Decatur Street, N.E. and is known as premises 4900 10th Street, N.E. It is an R-2 District.

3. The subject site is generally triangular in shape and contains approximately 2.75 acres of land. It is improved with a church building, an attached two-story dormitory/classroom building and a detached dwelling. The improvements are located on the middle and western portions of the site. The site increases in grade from South Dakota Avenue to the west, rising approximately thirty feet. There is a large asphalt parking lot north of the Church with access from Decatur Street. The lot contains approximately thirty-one spaces.

4. The subject site is surrounded on the south, east and west by semi-detached dwellings in the R-2 District. Immediately to the north is a small area of C-1 zoning at the southern and eastern quadrants of the intersection of South Dakota Avenue, Delafield Place and 10th Street.

5. The applicant proposes to use the first floor of the dormitory/classroom building for a senior citizens program consisting of a maximum of 100 persons and five paid staff members.

6. The dormitory/classroom building was built about 1960 and has been used in the past by the Catholic Seminary

as a school and recently as a school for boys with learning disabilities. The church building with meeting hall, offices and kitchen in the basement was constructed about 1957. The detached dwelling was constructed about 1935 and was last used as office space and sleeping quarters.

7. The Faith United Church of Christ was organized in 1979 and presently has a membership roll of 180.

8. The proposed senior citizens program, the Model Cities Senior Center, will serve the surrounding neighborhoods of the upper northeast section of the city specifically, but will also fill a citywide need. It will operate Monday through Friday, 9:00 A.M. to 4:00 P.M. Educational, recreational, and social activities and a catered lunch will be provided. A social service program will be provided for individuals.

9. The Model Cities Senior Center plans to use the Faith United Church of Christ dormitory/classroom building as a permanent home for providing services to senior citizens. The Model Cities Senior Center began in the early 70's with funding from the Model Cities Program. Currently, the City funds the Center through the Family and Child Services of Washington, D.C. It was originally housed at 35 K Street, N.E., moved temporarily to one public school, then another and finally, still on a temporary basis, to Bryan Elementary School in Southeast, where it has been the last two years. With continued funding tied to finding a permanent barrier free location, the Model Cities Senior Center views the Faith United Church of Christ facility as a solution to its location problems.

10. Dr. Joseph E. Taylor, the pastor of the Church, testified that over fifty percent of the area's residents are over fifty years of age. In a petition circulated within the community, several persons indicated they would participate in an elderly program if it were available. Over the past six months, a limited program for the elderly has been conducted at the church once a week, with twenty-five to thirty-five persons participating.

11. Dr. Taylor testified that to date he had twenty-five to thirty persons signed-up as volunteers to staff the senior citizens program.

12. On August 26, 1982, the Board in BZA Order No. 13824, granted a special exception to allow a child day care program in the basement of the church and to house the Wade School in the dormitory/classroom building. The child day care program was permitted to have up to seventy students and fifteen staff and the private school was allowed up to 100 students and ten staff. However, failing to obtain the necessary occupancy permit by September, 1982, the Church

lost its contract with the Wade School. The dormitory/classroom building remains unused, creating financial difficulties for the church and leaving unfulfilled an opportunity to fully utilize the Church's facilities to serve the community.

13. The proposed elderly program will be conducted inside on the first floor of the existing two-story dormitory/classroom building attached to the rear of the church. The indoor activity will have little visual impact on the surrounding community because of the setback of the building from the property lines. The location of the building and the topography will shield the immediate neighbors from the arrival and departure of program participants. The first floor, approximately 2600 square feet in area, contains two offices, two classrooms, a multi-purpose room, dining room, commercial kitchen and scully room. A ramp will be added to provide barrier free access and considerable interior work will be necessary prior to the start of the elderly program.

14. The pastor testified that sixty percent of the 100 participants will walk and others will arrive by individual transportation furnished by the Church in the form of a bus or van. It is not anticipated that people will arrive by private automobile. The asphalt paved parking lot has approximately thirty-one off-street parking spaces. Because the day care center only requires ten spaces, there is ample space for the elderly program staff and visitors. The parking lot is shielded from the neighboring property by the church buildings, trees and topography. Access is from lightly traveled Decatur Street, N. E. These facts, coupled with the masonry construction of the dormitory/classroom building and its separation from the nearest residential dwelling, reduce the potential noise and traffic impacts to inconsequential levels.

15. The Office of Planning, by report dated January 17, 1983, recommended approval of the application because it meets the requirements of Paragraph 3101.411 of the Regulations, the principal purpose of which is to prevent substantial detriment to neighboring properties. The elderly program is not organized for profit and will be conducted inside an existing structure. All activities including arrival and departure are separated and sheltered from neighboring property. The only potential negative impact is an existing collection of signs indicating various church activities, located along the South Dakota Avenue frontage. The Board will address the question of a sign for this program in a condition for approval of this application. The Board concurs in the findings and recommendation of the OP.

16. No report was received from Advisory Neighborhood Commission 5A.

17. A letter of support dated December 10, 1982, was received from Councilmember David A. Clarke.

18. No one appeared in opposition to the application at the public hearing or of record.

CONCLUSIONS OF LAW AND OPINION:

Based on the foregoing findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires compliance with the requirements of Paragraph 3101.411 of the Zoning Regulations, evidence that the proposed use can be permitted without an adverse impact on the use of neighboring property, and evidence that the requested relief is in harmony with the general purpose and intent of the Zoning Regulations and Map.

The Board concludes that the applicant has met the requirements of Paragraph 3101.411. The proposed senior citizen program is not organized for profit and is organized for the social welfare of the community. The program will be conducted on the grounds of the church in an existing dormitory/classroom building on the ground floor. The program will not be objectionable because of noise or traffic. All drop-offs and pick-ups will occur in the church parking lot which has ample parking and is located well away from any residences in the area. Noise generation will be of no consequence to any nearby residences located across Decatur Street. The hours of operation are limited and will occur Monday through Friday. At least twenty staff persons will conduct the program, of whom fifteen are volunteers and no more than five are paid. No signs or displays indicating the location of the program, as herein conditioned, will be located on the building or grounds.

The Board further concludes that the relief requested can be granted as in harmony with the purpose and intent of the Zoning Regulations and will not tend to affect adversely the use of neighboring property. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the FOLLOWING CONDITIONS:

1. Approval shall be for a period of THREE YEARS from the date of this Order.
2. No signs advertising the program shall be located on the outside of the building or grounds.
3. There shall be a maximum of five paid employees.

4. The hours of operation shall not exceed from 9 A.M. to 4 P.M.

VOTE: 5-0 (Carrie Thornhill, Walter B. Lewis, William F. McIntosh, Douglas J. Patton and Charles R. Norris).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: FEB 18 1983

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.

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